

# Exhibit M



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March 17, 2006

*Via E-Mail*

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Patrick E. Premo, Esq.  
Fenwick & West LLP  
Silicon Valley Center  
801 California St.  
Mountain View, California 94041

Re: *CD Intellectual Property Holdings LLC v. Amazon.com, Inc.*  
Our File No.: 3339-101

Dear Patrick:

This letter will confirm the agreements that were reached between the parties at the meet and confer conference on Wednesday, March 15<sup>th</sup> with respect to CD.

CD will supplement its response to Interrogatory No. 1 to include an infringement chart comparing the asserted claims of the '370 patent with Amazon's "Customers Who Bought Also Bought" feature. CD reserves the right to further supplement this response after the Court has ruled on CD's pending motion to compel Amazon to respond to CD's Interrogatory No. 1 and pending CD's review of documents which Amazon has just begun to produce.

CD will supplement its response to Interrogatory No. 3 to include additional factual information on conception, reduction to practice and diligence. CD reserves the right to further supplement this response, if and when Amazon identifies a specific piece of prior art or a prior invention sufficient to establish the critical period for diligence in reduction to practice.

CD will supplement its response to Interrogatory No. 5 to include a chart comparing the claims of the '370 patent with the Affinity feature described in the '370 patent. CD will also indicate in its response if there are any other embodiments of the '370 patent that were implemented by CD (as that term is defined in the Interrogatories).

CD will provide supplemental responses to Document Request Nos. 13, 14, 17, 23, 24, 25, 27, 29, 30, 32, 33, 36, 37, 38, 43, 44 and 60 to clarify CD's agreement to produce documents.

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Patrick E. Premo, Esq.  
March 17, 2006  
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With respect to Document Request Nos. 28 and 35, CD confirms that no documents were withheld on the basis that these requests are duplicative.

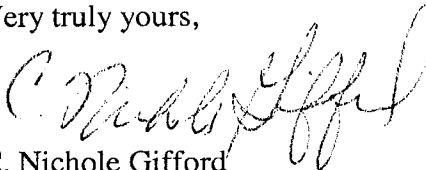
With respect to those requests that seek information related to "use" or "embodiments" of the invention, where requested, CD will produce documents relating to such "use" or "embodiments" of the invention for the parties to the litigation and CD's licensees, if any exist. Additionally, during the meet and confer, we indicated that CD would not agree to produce documents related to "use" or "embodiments" of the invention for unrelated third parties. However, upon further consideration, and in an effort to resolve any potential disputes, CD will agree to produce documents relating to the "use" or "embodiments" by third parties to the extent such documents are not privileged and are within CD's possession, custody or control.

We confirm that CD is not withholding documents in counsel's possession based on their objection that such documents are not in CD's possession, custody or control.

With respect to requests that seek information regarding "related patent/applications," CD clarifies its position as follows: CD will agree to produce relevant, non-privileged documents related to the prosecution of the patent-in-suit and the pending continuation application. CD, will include privileged documents in these categories on a privilege log.

As to timing, the supplemental responses for CD will be sent to Amazon's counsel via e-mail on Friday, March 24<sup>th</sup>, and any documents being produced by CD will be sent out on March 24<sup>th</sup> via Federal Express.

Very truly yours,



C. Nichole Gifford

CNG:erh

cc: Steven Balick, Esq.

Premo.L02